

LEGISLATURE OF NEBRASKA  
NINETY-SIXTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1395**

Introduced by Beutler, 28; Brashear, 4; Brown, 6; Bruning, 3;  
Byars, 30; Hartnett, 45; Jensen, 20; Kiel, 9;  
Landis, 46; Lynch, 13; Dw. Pedersen, 39; Preister, 5;  
Price, 26; Quandahl, 31; Raikes, 25; Schimek, 27;  
Suttle, 10; Thompson, 14; Wehrbein, 2

Read first time January 20, 2000

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Game and Parks Commission; to amend  
2 sections 37-101 and 37-102, Reissue Revised Statutes of  
3 Nebraska; to change the number of members and their  
4 qualifications; to require the Legislature to redistrict  
5 the state for purposes of appointing members to the  
6 commission; to harmonize provisions; and to repeal the  
7 original sections.  
8 Be it enacted by the people of the State of Nebraska,

1                   Section 1.   Section 37-101, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   37-101. (1) The Game and Parks Commission shall consist  
4 of ~~seven~~ nine members, one from each of the ~~seven~~ nine districts  
5 provided for by section 37-102, and shall be appointed by the  
6 Governor with the consent of a majority of all members of the  
7 Legislature. Members of the commission shall be legal residents  
8 and citizens of Nebraska and shall be well informed on wildlife  
9 conservation and restoration. At least two members of the  
10 commission shall be actually engaged in agricultural pursuits and  
11 shall reside on a farm or ranch, at least two members shall be  
12 well-informed on recreational uses of parks, and not more than ~~four~~  
13 five of the members of the commission shall be affiliated with the  
14 same political party.

15                   (2) When the term of any member of the commission  
16 expires, the Governor shall appoint a successor for a term of five  
17 years from the same district as the member whose term has expired.  
18 Each member shall serve until the appointment and qualification of  
19 his or her successor. In case of a vacancy occurring prior to the  
20 expiration of the term of a member, the appointment shall be made  
21 only for the remainder of the term.

22                   (3) All members of the commission shall be citizens and  
23 bona fide residents of the district from which they are appointed.  
24 When a member ceases to be a bona fide resident of the district,  
25 from which he or she was appointed, the office shall be immediately  
26 vacated.

27                   (4) If the Legislature is not in session when members of  
28 the commission are appointed by the Governor, they shall take

1 office and act as recess appointees until the Legislature next  
2 thereafter convenes.

3 (5) Members may be removed by the Governor for  
4 inefficiency, neglect of duty, or misconduct in office, but only  
5 after delivering to the member a copy of the charges and affording  
6 an opportunity of being publicly heard in person or by counsel in  
7 his or her own defense, upon not less than ten days' notice. Such  
8 hearing shall be held before the Governor.

9 (6) If such member is removed, the Governor shall file in  
10 the office of the Secretary of State a complete statement of all  
11 charges made against such member and his or her findings thereon,  
12 together with a complete record of the proceedings. No person who  
13 has served a full five-year term shall be eligible for  
14 reappointment as a member of the commission until at least five  
15 years have elapsed between any previous term which he or she might  
16 have served and the effective date of his or her new appointment.

17 Sec. 2. Section 37-102, Reissue Revised Statutes of  
18 Nebraska, is amended to read:

19 37-102. ~~For purposes of section 37-101, the (1) The~~  
20 ~~state is hereby divided into seven nine districts. The for~~  
21 ~~purposes of appointing members to the Game and Parks Commission.~~  
22 ~~One member of the commission shall be appointed from each district.~~

23 (2) Beginning with the census results from the 2010  
24 Census of Population by the United States Department of Commerce,  
25 Bureau of the Census, the Legislature shall redistrict the state  
26 after each federal decennial census. The primary basis for such  
27 redistricting shall be the population, excluding aliens, as shown  
28 by the most recent federal decennial census. Districts shall be

1 composed of contiguous territory, shall be reasonably compact in  
2 form, and may recognize existing communities of common economic  
3 interest. District boundaries should respect county and municipal  
4 lines but may deviate from such lines in recognition of the other  
5 standards set forth in this subsection. No district shall be drawn  
6 for the purpose of favoring or disfavoring a political party, an  
7 incumbent, or another person or group.

8 (3) Until the Legislature redistricts based on the 2010  
9 census, the limits and designations of the ~~seven~~ districts shall be  
10 as follows:

11 ~~(1)~~ (a) District No. 1. The counties of Richardson,  
12 Pawnee, Nemaha, Johnson, Otoe, Cass, ~~Lancaster~~, Saunders, Butler,  
13 Gage, Seward, Saline, and Jefferson and that part of Lancaster  
14 County not included in district 9;

15 ~~(2)~~ (b) District No. 2. The counties of ~~Sarpy~~ and ~~That~~  
16 part of Douglas County not included in district 8;

17 ~~(3)~~ (c) District No. 3. The counties of Washington,  
18 Dodge, Colfax, Platte, ~~Merrick~~, ~~Nance~~, ~~Boone~~, Madison, Stanton,  
19 Cuming, Burt, Thurston, Wayne, Pierce, ~~Antelope~~, ~~Knox~~, Cedar,  
20 Dixon, and Dakota;

21 ~~(4)~~ (d) District No. 4. The counties of Thayer,  
22 Nuckolls, Webster, Adams, Clay, Fillmore, York, Polk, Hamilton,  
23 Hall, Buffalo, Kearney, and Franklin;

24 ~~(5)~~ (e) District No. 5. The counties of Harlan, Furnas,  
25 Red Willow, Hitchcock, Dundy, Chase, Hayes, Frontier, Gosper,  
26 Phelps, Dawson, Lincoln, and Perkins;

27 ~~(6)~~ (f) District No. 6. The counties of ~~Merrick~~, ~~Nance~~,  
28 ~~Boone~~, ~~Antelope~~, ~~Knox~~, Howard, Greeley, Wheeler, Sherman, Valley,

1 Garfield, Holt, Boyd, Keya Paha, Rock, Brown, Loup, Blaine, Custer,  
2 Logan, McPherson, ~~Arthur, Grant,~~ Hooker, and Thomas; ~~7 and Cherry,~~  
3 ~~and~~

4 ~~(7)~~ (g) District No. 7. The counties of Deuel, Garden,  
5 Keith, Arthur, Grant, Cherry, Sheridan, Cheyenne, Morrill, Box  
6 Butte, Dawes, Sioux, Scotts Bluff, Banner, and Kimball;

7 (h) District No. 8. Sarpy County and that part of  
8 Douglas County beginning at the intersection of 72nd Street and  
9 Pacific Street, east on Pacific Street to Turner Boulevard,  
10 southeast and northeast on Turner Boulevard to Pacific Street, east  
11 on Pacific Street to 24th Street, south on 24th Street to Pierce  
12 Street, east on Pierce Street to 13th Street, north on 13th Street  
13 to Pacific Street, east on Pacific Street to 6th Street, south on  
14 6th Street to Pierce Street, east on Pierce Street and continuing  
15 east along an east-west line extending from Pierce Street to the  
16 Missouri River, south along the Missouri River to the Douglas-Sarpy  
17 County line, west along the Douglas-Sarpy County line to 180th  
18 Street, north on 180th Street to Boxelder Creek, south and east  
19 along Boxelder Creek to the intersection of 156th Street and F  
20 Street, east on F Street to 144th Street, north on 144th Street to  
21 the Union Pacific Railroad right-of-way, north and west along the  
22 Union Pacific Railroad right-of-way to Center Road, east on Center  
23 Road to 72nd Street, and north on 72nd Street to the point of  
24 beginning; and

25 (i) District No. 9. That part of Lancaster County  
26 beginning at the intersection of State Highway 6 and Interstate  
27 Highway 80, south on 112th Street and continuing south along a  
28 north-south line extending from 112th Street to Saltillo Road, west

1 on Saltillo Road to Southwest 56th Street, north on Southwest 56th  
2 Street and continuing north along a north-south line extending from  
3 Southwest 56th Street to Northwest 56th Street, north on Northwest  
4 56th Street to West Adams Street, west on West Adams Street to  
5 Northwest 70th Street, north on Northwest 70th Street to West  
6 Superior Street, east on West Superior Street to the corporate  
7 limits of the city of Lincoln, north along the corporate limits of  
8 the city of Lincoln to West Fletcher Avenue, east on West Fletcher  
9 Avenue to Northwest 48th Street, north and east on Northwest 48th  
10 Street to State Highway 34, east and south on State Highway 34 to  
11 Interstate Highway 80, and east on Interstate Highway 80 to the  
12 point of beginning.

13 (4) References to any city or the limits thereof refer to  
14 the limits of such city as they existed on the effective date of  
15 this act. References to streets, roads, boulevards, avenues,  
16 highways, or other public ways, railroad rights-of-way, creeks, or  
17 rivers refer to the center line thereof unless otherwise  
18 specifically provided.

19 (5) The members of the commission appointed prior to the  
20 effective date of this act shall represent the newly established  
21 districts for the balance of their terms, with each member  
22 representing the same numbered district as prior to such date,  
23 except that the member representing district 1 prior to the  
24 effective date of this act shall represent district 9 for the  
25 balance of his or her term.

26 Sec. 3. Original sections 37-101 and 37-102, Reissue  
27 Revised Statutes of Nebraska, are repealed.